IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 687 of 2007

In

Notice of Motion No.1357 of 2007

And

Notice of Motion NO.1401 of 2007

In

L.C.Suit Stamp No.1322 of 2007

Vithal K. Shetty ..Appellant

V/s

State of Maharashtra and Ors..Respondents

Shri P.S.Dani i/b Shamim and Co. for the Appellant

Shri Sujit Gawade AGP for Respondent no.1

Ms Kiran Bagalia i/b

Ms Asha Bomwani for the Respondent no.3 MMRDA

CORAM:S.R.SATHE,J.

DATED:3rd Oct. 2007

P.C.:-

1. Heard both the learned Advocates.

2. The learned Advocate for the Appellant fairly submitted that instead of interfering the order of the

trial court at this stage the trial Court be directed to dispose of the entire suit on merits according to law, as expeditiously as possible.

3. Hence in stead of interfering with the order passed by the learned trial Judge, it is hereby directed that the trial Court to dispose of LC Suit (Stamp) No.1322 of 2007 according to law and on merits after giving due opportunity to both the parties as expeditiously as possible and in any event on or before 30-6-2008.

4. Parties are directed to appear before the trial Court on 16-10-2007.

5. The appellant to take necessary steps for getting the suit register.

6. A.O. disposed of accordingly.

6. Parties to act on the on the authenticated copy of this order.

(S.R.SATHE,J.)